

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

UNITED STATES OF AMERICA,)	
Plaintiff,)	
)	
vs.)	CASE NO. DNCW3:09CR42
)	(Financial Litigation Unit)
)	
DANIEL STILL JR.,)	
Defendant,)	
and)	
)	
BLYTHE DEVELOPMENT COMPANY,)	
Garnishee.)	

ORDER OF CONTINUING GARNISHMENT

THIS MATTER is before the Court on the answer of Blythe Development Company as the Garnishee. Judgment in the criminal case was filed on September 3, 2010 (Doc. No. 26). As part of that Judgment, the Defendant was ordered to pay an assessment of \$25.00, a fine of \$2,500.00, and restitution of \$247,500.00 to the victim of the crime. *Id.*

On September 1, 2022, the Court entered a Writ of Continuing Garnishment (Doc. No. 33) to the Garnishee Blythe Development Company. The Garnishee was served with the Writ on September 13, 2022. The Defendant was served with the Writ on November 10, 2022. The Garnishee filed an Answer on October 3, 2022 (Doc. No. 36) stating that at the time of the service of the Writ, it had in its custody, control or possession property or funds owned by the Defendant, including non-exempt, disposable earnings. The Defendant filed an Objection to Answer and Writ of Garnishment, Motion to Quash, and Request for Hearing on October 17, 2022 (Doc. No. 39). The United States filed a Response on October 31, 2022 (Doc. No. 41). On November 1, 2022, the Court entered an Order overruling and denying Defendant's Objection to Answer and Writ of Garnishment, Motion to Quash, and Request for Hearing.

IT IS THEREFORE ORDERED that an Order of Continuing Garnishment is hereby ENTERED in the amount of \$25,000.00 computed through September 1, 2022. The Garnishee shall pay the United States the lesser of (1) twenty-five percent of the Defendant's disposable earnings which remain after all deductions required by law have been withheld, or (2) the amount by which the Defendant's disposable earnings for each week exceed thirty times the federal minimum wage. *See* 15 U.S.C. § 1673(a). The Garnishee shall continue payments until the debt to the Plaintiff is paid in full or until it no longer has custody, possession or control of any property belonging to the Defendant, or until further order of this Court.

Payments should be made payable to the United States Clerk of Court and mailed to:

Clerk of the United States District Court
401 West Trade Street
Charlotte, North Carolina 28202

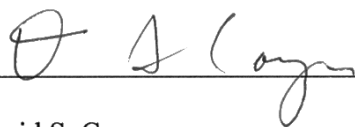
In order to ensure that each payment is credited properly, the following should be included on each check: Court Number DNCW3:09CR42.

IT IS FURTHER ORDERED that the Garnishee will advise this Court if the Defendant's employment is terminated at any time by the Garnishee or the Defendant.

The Plaintiff will submit this debt to the Treasury for inclusion in the Treasury Offset Program. Under this program, any federal payment the Defendant would normally receive may be offset and applied to this debt.

SO ORDERED.

Signed: December 21, 2022



David S. Cayer
United States Magistrate Judge

